



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

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Washington, D.C. 20231

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NO./TITLE |
|--------------------|---------------------|-----------------------|---------------------------|
| 09/419,901 | 10/18/99 | VAN EYK | J 1997-023-040 |

STEPHEN J SCRIBNER
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CANADA

0212/1112



NOT ASSIGNED

1643

AIR MAIL DATE MAILED:

11/12/99

NOTICE TO FILE MISSING PARTS OF APPLICATION
Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the **SURCHARGE** set forth in 37 CFR 1.16(e) of **\$65.00** for a small entity in compliance with 37 CFR 1.27, or ☐ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☒ small entity (statement filed) ☐ non-small entity is \$ 65.00.

- ☐ 1. The statutory basic filing fee is:
☐ missing
☐ insufficient.

Applicant must submit \$_____ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

- ☐ 2. The following additional claims fees are due:

\$_____ for _____ total claims over 20.

\$_____ for _____ independent claims over 3.

\$_____ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

- ☒ 3. The oath or declaration:

☒ is missing or unsigned.

☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

- ☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

- ☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

- ☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

- ☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

- ☐ 8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application; the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

- ☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Van Eyk *et al.*
Serial Number: 09/419,901
Filed: October 18, 1999
Title: Methods of Diagnosing Muscle Damage
Agent Ref. No.: 1997-023-04US



December 2, 1999

The Commissioner of Patents and Trademarks
Washington, D.C., 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Dear Sir,

In response to the Notice to File Missing Parts of Application dated November 12, 1999, Applicants submit herewith an original Declaration/Power of Attorney executed by each of the inventors. A Statement of Small Entity Status as a Non-Profit Organization in favour of the Assignee has been previously filed in this case. A copy of the Notice to File Missing Parts of Application is also enclosed.

Please deduct the surcharge of \$65.00, and any other fees which may be required, from our deposit account No. 17-0110.

Inquiries concerning this application may be directed to Stephen Scribner (Reg. No. 44,452) or Carol Miernicki Steeg (Reg. No. 39,539) at 613-533-2342.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "S. Scribner".

Stephen J. Scribner
Reg. No. 44,452

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